IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITON NO.1103 OF 1995

M/s.Videocon India & Anr. ..Petitioners.

V/s.

Union of India & Ors. ..Respondents.

Mr.K.R.Bulchandani with J.P.Shah i/b. Kamal & Co. for petitioners.

Mr.H.V. Mehta for respondents.

CORAM : S.RADHAKRISHNAN AND J.P.DEVADHAR, JJ.

DATED : 27TH JANUARY, 2005.

P.C. :-

1. Heard learned counsel for the petitioners and the respondents. Learned counsel for the petitioners and the respondents categorically state that the Judgment of the Supreme Court in the case of **Simplex Castings V/s. Commissioner of Customs** reported in **2003 (155) E.L.T.5 (S.C.)** will squarely apply to the facts of the present case. Having regard to the facts and circumstances of the case and in view of the above Judgment of the Supreme Court, Rule is made absolute in terms of prayer clause (a) & (b). However, there will be no order as to costs.

(S.RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)